

Duke, Daphne

256515

**From:** Easterling, Deborah  
**Sent:** Thursday, May 07, 2015 9:00 AM  
**To:** Duke, Daphne  
**Subject:** FW: Docket 2008-196-E  
**Attachments:** TroubleShoot\_SCANA-15-05-06.doc

**From:** joe4ocean@aim.com [mailto:joe4ocean@aim.com]  
**Sent:** Thursday, May 07, 2015 7:54 AM  
**To:** PSC\_Contact  
**Subject:** Docket 2008-196-E

*Dear Ms. Boyd:*

*I am forced by time to submit the review and troubleshooting factual materials.*

*ORS and SCANA legal team had many days for the answer to League of Women Voters dated March 11, 2015 but they get no time (zero days) to rebut SCANA letter electronically filed on May 4, 2015.*

*In behalf the victims of overcharged electric kWh rates.*

*Sincerely,*

*Joseph "Joe" Wojcicki*

*Enclosed please find "The Troubleshooting..." the draft (tempus fugit!) MS Word format file.*

**RECEIVED**

MAY 07 2015

PSC & C  
MAIL / DMS

May 7, 2015

The Honorable Jocelyn G. Boyd  
Chief Clerk/Administrator Public Service Commission of South Carolina  
101 Executive Center Drive Columbia, South Carolina 29210

RE: Combined Application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity and for a Base Load Review Order for the Construction and Operation of a Nuclear Facility in Jenkinsville, South Carolina; Docket No. 2008-196-E

Dear Ms. Boyd;

Please find below material facts supporting requests and challenges in behalf of SCANA scandal's victims. My time forced action should prevent the obvious injustice. This draft version maybe corrected after proofreading and send to other parties again.

**The Trouble-shooting Analysis of Financing SCANA/SCE&G Nuclear Project.**

1. There were and still are federal funds for such nuclear projects. The Vogtle GA twin project got \$6.5 Billion in February 2014.
2. SCANA/SCE&G falsely claimed assumption of S.C. Base Load Review Act as a legal ground for financing VC Summer Units 2 and 3 (FCA of BLRA) by overcharging SCE&G electric kWh ratepayers.
3. Ms. Hudson- the counsel for ORS wrote on June 27, 2008: "Ratepayers will not be responsible for such costs unless they are deemed prudent pursuant to the Base Load Review Act". (PSC docket 2008-196-E matter ID 193643).
4. SCANA/SCE&G never submitted scientific studies to prove BLRA definition <sup>1</sup>.

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<sup>1</sup> Base Load Review Act

Section 58-33-210. This article is known, and may be cited, as the 'Base Load Review Act' and is applicable to utilities as **defined in Section 58-33-220** of this article.

Section 58-33-220. The following terms, when used in this article, shall have the following meanings, unless another meaning is clearly apparent from the context:

- (1) 'AFUDC' means the allowance for funds used during construction of a plant calculated according to regulatory accounting principles.
- (2) 'Base load plant' or 'plant' means a new coal or nuclear fueled electrical generating unit or units or facility that is designed to be operated at a **capacity factor exceeding seventy percent annually**, has a gross initial generation capacity of three hundred fifty megawatts or more, and is intended in whole or in part to serve retail customers of a utility in South Carolina, and for a coal plant, includes Best Available Control Technology, as defined by the United States Environmental Protection Agency, for the control of air emissions.

5. ORS never scientifically verified FCA of BLRA. ORS never checked seriously if SCANA/SCE&G met BLRA definition, never enforced hydrological studies for Duke and SCANA/SCE&G four reactors to be installed near the Broad River, amendments to FERC licenses and other necessary studies covering LIP and drought in S.C. as factors necessary to proof BLRA to be a legal ground of financial responsibility for residents and businesses - the electricity users.
6. SCANA (NYSE:SCG) issued extra millions of shares and entered the international market on FCA of BLRA pretense.
7. SCANA, ORS and PSC have not responded to FCA of BLRA Challenges giving common sense the final proof of illegal robbing the victims' budgets in critical economy years 2009-2015. De facto there is none line of defense.
8. SCANA legal team continues to mislead millions of victims still "on the BLRA ground". An example s from Mr. Burgess' letter dated May 4, 2015 page 2 "As permitted by S.C. Code Ann 58-33-280." xxx
9. Public Service Commissioners with predominant legal professionalism but without higher engineering degrees must seriously act according to their own Mission while SCANA is following Enron style white-collar crime scandal. There shall not be any "legal tricks, e.g. claimed defective service" nor "any other public professionals' mistakes" nor "political aspects" excuses
10. As a one of victimized groups by SCANA scandal, the League of Women Voters of S.C. has the full right to petition the immediate suspension of increased rates and a new hearing. Procedures are known since Enron and Dynegy cooperate scandals, which ended in bankruptcy and criminal courts. Silencing / conspiring as we have seen in so many PSC denials is just the simple obstruction of justice. Beside women victims are SC veterans and retirees.
11. It is interesting how some smart corporations bribe. Enron donated tens of thousands of USD for the Holocaust Museum; SCANA got from University of South Carolina their "SCANA Room" in the Darla Moore School of Business Building. Both have used "other people's money".
12. According to ORS/PSC missions there is an obligation to explain why FCA of BLRA was used for such white-collar fraud, especially to S.C. Legislature as the author of BLRA, issued in 2007 without SC Governor's signature and to SC Grand Jury following Speaker Bobby Harrell's 2014 case. The silencing and/or conspiracy fulfill the definition of obstruction of justice. Such reporting obligations have all legal professionals according to their principles and canons as well as the citizens.
13. Mr. Burgess from SCANA legal is a super-initiator for ORS/PSC denials. E.g. in the area of silencing information on rate increases- Mr. Tom Clements got denied his request for indicating individual ratepayer's share of "the forced investment in this nuclear project" on each individual SCE&G bill as it was, in contrast, provided for ratepayers in Georgia. Today, denying the League's request will give another proof of such SCANA legal domination. This time "in cooperation with ORS". SCE&G alone, never responded for similar direct

requests / challenges. SCE&G employees are in jeopardy similar to Enron employees who lost their life savings.

14. Dr Wilder's 2014 remarks in the financial area with an obvious sabotage the state and national economy, had not received scientific responses. Such "silencing" maybe a proof of incompetence of some public servants. Where is the transparency to oppose public feeling of a conspiracy in the white-collar fraud? Or, is it a modern return of a monopolistic slavery to S.C. with clear disrespecting SC Code of Law?
15. PSC Order 2015-339 denying public voice without right to answer SCANA legalese by League and other intervenors is a breach of PSC mission "***A Fair, Open, And Efficient Regulatory Process That Promotes Cost-Effective And Reliable Utility Services***" especially in the FCA of BLRA multi-billion fraud, which created millions of victims. Stop it, please!

Sincerely,

Joseph "Joe" Wojcicki - the energy consultant and victims' advocate.

Cc to be sent to recipients of Mr. Burgess' letter dated May 4, 2015